

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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PHILIP PIDOT, NANCY HAWKINS and STEVEN  
AXELMAN, individually and as representatives of eligible  
Republican Party voters in Suffolk, Nassau and Queens  
Counties within New York's Third Congressional District,

Civil Action No.:  
16-cv- 859  
(FJS) (CFH)

Plaintiffs,

-against-

NEW YORK STATE BOARD OF ELECTIONS;  
SUFFOLK COUNTY BOARD OF ELECTIONS;  
NASSAU COUNTY BOARD OF ELECTIONS;  
BOARD OF ELECTIONS IN THE CITY OF NEW  
YORK; PETER KOSINSKI and DOUGLAS KELLNER,  
in their official capacities as Commissioners and Co-Chairs  
of the New York State Board of Elections; ANDREW J.  
SPANO and GREGORY P. PETERSON, in their official  
Capacities as Commissioners of the New York State Board  
of Elections; TODD D. VALENTINE and ROBERT A.  
BREHM, in their official capacities as Co-Executive  
Directors of the New York State Board of Elections;  
and JACK MARTINS,

**RESPONSE TO  
PLAINTIFFS'  
ORDER TO SHOW  
CAUSE  
BY  
NASSAU COUNTY  
BOARD OF  
ELECTIONS**

Defendants.

=====X

Nassau County Board of Elections, by its undersigned counsel, respectfully submits this  
response to the plaintiffs' Order to Show Cause, which seeks an Order directing a Republican  
Party primary election for New York's Third Congressional District.

The Nassau County Board of Elections (the "Nassau Board") takes no position on the  
Plaintiffs' application to the Court. By law it cannot do so unless both Commissioners of the  
Board -- one from each of the two major political parties -- agree.

The Nassau Board will abide by whatever decision is rendered by the Court.

The Commissioners of the Nassau Board have set forth their individual views in the

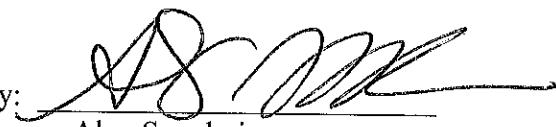
Declarations that are attached to this submission.

Dated: Mineola, New York  
August 5, 2016

Respectfully submitted,

CARNELL T. FOSKEY  
Nassau County Attorney

By:



Alpa Sanghvi  
Deputy County Attorney  
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